

**ORDER OF AN EXECUTIVE OFFICER
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

To: 1733280 Alberta Ltd. Xiu Ling Cai Zhuoqi Xi
"the Owner" "the Owner" "the Owner"

And To: All Occupant(s) of the following Housing premises:

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
11823 95 Street NW Edmonton, Alberta T5G 1M3

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted premises pursuant to the provisions of the **Public Health Act**, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following conditions exist in and about the above noted premises which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. There was a significant cockroach infestation present in the home. Live cockroaches were observed along the walls and floors throughout the upstairs and downstairs living areas.
- b. There were no working smoke alarms present outside of the upstairs or downstairs bedrooms to alert the tenants in the event of an emergency.
- c. The handrail to the basement was missing at the time of inspection.
- d. There was visible mold growth present along the ceiling in the basement bathroom.
- e. There was a large amount of animal feces present throughout the home.
- f. There were multiple open junction boxes and areas along the ceilings where wires were sticking out.
- g. The back plate for the electrical outlet in the living room was missing and the back plate of the light switch in the left main floor bedroom was loose.
- h. The walls, flooring, and ceiling throughout the home (including bathrooms, kitchens, bedrooms, and general living spaces) were damaged.
- i. A number of the building materials in the home were damaged, including: the door of the left main floor bedroom, the closet door in the left main floor bedroom, the ceiling along the upstairs bathroom (which had been water damaged), and the ceiling in the basement bathroom (which had been water damaged).
- j. The surface of the downstairs bathtub was chipped in a number of places.
- k. The back plates of the faucets in the upstairs shower were missing. The knobs and handles of the downstairs shower were missing at the time of inspection.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. There was a significant cockroach infestation present in the home. Live cockroaches were observed along the walls and floors throughout the upstairs and downstairs living areas. This is in contravention of Section 16(a) of the Minimum Housing and Health Standards, which states that *“The owner shall ensure that the housing premises are free of insect and rodent infestations;”*
- b. There were no working smoke alarms present outside of the upstairs or downstairs bedrooms to alert the tenants in the event of an emergency. This is in contravention of Section 12 of the Minimum Housing and Health Standards, which states that *“Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway. (a) Smoke alarms shall be operational and in good repair at all times.”*
- c. The handrail to the basement was missing at the time of inspection. This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states that *“Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.”*
- d. There was visible mold growth present along the ceiling in the basement bathroom. This is in contravention of Section 5(2) of the Alberta Housing Regulation (AR 173/99) which states that *“No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.”*
- e. There was a large amount of animal feces present throughout the home. This is in contravention of Section 5(2) of the Alberta Housing Regulation (AR 173/99) which states that *“No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.”*
- f. There were multiple open junction boxes and areas along the ceilings where wires were sticking out. This is in contravention of Section 11 of the Minimum Housing and Health Standards, which states that *“Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”*
- g. The back plate for the electrical outlet in the living room was missing and the back plate of the light switch in the left main floor bedroom was loose. This is in contravention of Section 11 of the Minimum Housing and Health Standards, which states that *“Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”*
- h. The walls, flooring, and ceiling throughout the home (including bathrooms, kitchens, bedrooms, and general living spaces) were damaged. This is in contravention of Section 5 of the Minimum Housing and Health Standards, which states that *“All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean. (a) Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower. (b) Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.”*
- i. A number of the building materials in the home were damaged. Including: the door of the left main floor bedroom, the closet door in the left main floor bedroom, the ceiling along the upstairs bathroom, and the ceiling in the basement bathroom. This is in contravention of

Section 1(c) of the Minimum Housing and Health Standards, which states that *“Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”*

- j. The surface of the downstairs bathtub was chipped in a number of places. This is in contravention of Section 5(a) of the Minimum Housing and Health Standards, which states that *“Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.”*
- k. The back plates of the faucets in the upstairs shower were missing. The knobs and handles of the downstairs shower were missing at the time of inspection. This is in contravention of Section 6(a) of the Minimum Housing and Health Standards, which states that *“The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.”*

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the occupants vacate the above noted premises on or before March 17, 2023.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Hire the services of a licensed pest control professional to treat the cockroach infestation. Provide copies of any reports generated by said pest control professional to the undersigned.
 - b. Install working smoke alarms between each sleeping space and the remainder of the home (Note: if multiple bedrooms are adjacent to one another, a single smoke alarm may service these bedrooms).
 - c. Install a handrail from the upstairs to the basement of the home.
 - d. Clean/remove the mold from the ceiling in the basement bathroom. Repair any leaks/remove any sources of moisture that will promote growth of mold in this space.
 - e. Clean and remove the animal feces present along the surfaces in the home.
 - f. Seal any open junction boxes and ensure any loose wires are capped and secured.
 - g. Replace the missing electrical outlet plate for the outlet in the living room. Secure the loose light switch plate in the left main floor bedroom.
 - h. Remove and replace any damaged building materials. Including, the door for the main floor left bedroom, the closet door in the main floor left bedroom, the water-damaged ceilings in the upstairs and downstairs bathrooms.
 - i. Repair/replace the surface of the bathtub in the downstairs bathroom.
 - j. Replace the missing back plates and handles/knobs for the faucets in the upstairs/downstairs showers.

3. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain vacant and secure from unauthorized entry.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Edmonton, Alberta, March 8, 2023.

Confirmation of a verbal order issued to Zhuoqi Xi on March 7, 2023.

Executive Officer
Alberta Health Services

You have the right to appeal

A person who a) is directly affected by a decision of a Regional Health Authority, and
 b) feels himself aggrieved by the decision

may appeal the decision by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

Public Health Appeal Board
c/o Central Reception
Main Floor, ATB Place North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Template revised October 13, 2022

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